



Dan M. Boulware

DISTRICT ATTORNEY
18TH JUDICIAL DISTRICT
JOHNSON AND SOMERVELL COUNTIES

ID# 14535
mjs

RQ-293

WILLIAM G. MASON
FIRST ASSISTANT

December 18, 1991

Hon. Rick Gilpin
Opinion Committee
Attorney General's Office
P.O. Box 12548
Austin, Texas 78711

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DEC 23 91

re: Request for Attorney General's Opinion

Opinion Committee

Dear Mr. Gilpin,

I submit this letter to request an Attorney General's Opinion concerning the validity of the Texas Commission on Law Enforcement Officer Standards and Education citizenship requirement within its minimum standards for licensing in 37 TAC 211.80(a)(1). Specifically, I request an opinion analyzing the citizenship requirement in light of (a) Art. 1 sec. 3(a) of the Texas Constitution and (b) the delegation doctrine that emanates from Art. 2 sec. 1 of the Texas Constitution.

Enclosed is a copy of the brief prepared on the issues.


Yours very truly,

Dan M. Boulware
District Attorney of
Johnson and Somervell Counties
Cleburne, Texas 76031
(817) 645-8895

ACCOMPANIED BY ENCLOSURES —
FILED SEPARATELY